

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

BARBARA CASERO, As Personal)
Representative of the Estate of)
YLDELISA CALVO DORNHECKER;) Civil Action No 04-221 GMS
BARBARA CASERO, Individually; MARIO)
CALVO, Individually; and YLDELISA CALVO,)
Individually,) TRIAL BY JURY DEMANDED
Plaintiffs,)
vs.)
JOSEPH V. LAMBERT, Individually;)
AVIS CAR RENTAL GROUP, INC.; and)
CAR RENTALS, INC.)
Defendants.)

DEFENDANTS' ANSWER TO AMENDED COMPLAINT

1. Admitted only that an automobile accident occurred on June 3, 2002. Answering defendants are without knowledge or information sufficient to form a belief as to the truth of the balance of the averment.
2. Answering defendants are without knowledge or information sufficient to form a belief as to the truth of the averment.
3. Answering defendants are without knowledge or information sufficient to form a belief as to the truth of the averment.
4. Admitted only that defendant Lambert resided at 75 Aspen Drive, Basking Ridge, NJ 19973. The balance of the averment is denied.
5. Admitted.
6. Denied.

7. Admitted only that this action arose in Delaware. The balance of the averment is denied.

8. Denied.

9.1. Answering defendants are without knowledge or information sufficient to form a belief as to the truth of the averment.

9.2. Answering defendants are without knowledge or information sufficient to form a belief as to the truth of the averment.

9.3. Answering defendants are without knowledge or information sufficient to form a belief as to the truth of the averment.

9.4. (a) – (c) Answering defendants are without knowledge or information sufficient to form a belief as to the truth of the averment.

10. Admitted only that the decedent was a passenger in a vehicle at the date, time and location alleged. Answering defendants are without knowledge or information sufficient to form a belief as to the truth of the balance of the averment.

11. Admitted only that defendant Lambert was driving the vehicle at the date and time alleged with the knowledge and consent of defendant Car Rentals. The balance of the averment is denied.

12. Denied.

13. Denied.

14. Denied.

15. Denied. (a) – (e). Denied.

AFFIRMATIVE DEFENSES

16. Lack of subject matter jurisdiction.

17. Plaintiffs fail to state a claim against Defendants upon which damages can be awarded.

WHEREFORE, Defendants demand that this action be dismissed with costs assessed against the plaintiffs.

WETZEL & ASSOCIATES, P.A.

/s/ Natalie M. Ippolito
BENJAMIN C. WETZEL, III (I.D. No. 985)
NATALIE M. IPPOLITO (I.D. No. 3845)
The Carriage House, Suite 201
1100 N. Grant Avenue
Wilmington, DE 19805
(302) 652-1200
nippolito@wetzellaw.com
Attorneys for Defendants

Dated: May 24, 2005